

Central Intelligence Agency
Director of Personnel
Washington, D.C. 20505

STATINTL

8 March 1976

Dear Sir;

I am an Agency retiree. My retirement was effective in August 1974.

I refer to two Comptroller General's decisions, B-183086, dated 5 December 1975 and B-184990, dated 20 February 1976. I believe that I am entitled to compensation under these two decisions.

I was detailed to a GS-12 slot from the period June 1968 to 1 April 1970 and received neither the temporary pay of a GS-12, nor a promotion to GS-12 as a result of performing in a satisfactory manner while detailed in that position. In accordance with these two cited Comptroller's decisions, I believe that I am entitled to either the retroactive pay for the period or to a retroactive promotion.

While I am unable to cite specific dates or dispatch or cable numbers, in which my supervisor requested that I be assigned to the GS-12 slot, and in which Headquarters approved my being detailed into the GS-12 slot, both the request and the approval occurred between the dates of 1 June 1968 and 31 December 1968. In any case I assumed the responsibilities of the GS-12 slot upon the departure of my predecessor in the slot on or about 1 June 1968 and remained in this slot until 1 April 1970, when I departed from that post.

I learned, only recently, that being assigned for such a lengthy period of time to a higher grade slot, without either temporary compensation or a promotion, was contrary to established U. S. Government policy. I would be most appreciative if you could let me know as soon as possible what your decision in this matter is, since the six-year time limit will be running out shortly, and, I am writing this letter to claim compensation within the allowable six-year limit so that I may appeal, should I receive a negative response from you.

I have not identified the location of the above cited case, but if you wish any further information from me, either call me by telephone at [redacted] or write me at my address, which appears at the top of this letter. STAT

Sincerely,

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ROUTING AND RECORD SHEET

SUBJECT: (Optional)

FROM:

Chief, Review Staff, OP
626 C of C

EXTENSION

NO.

DATE

8 December 1976

STAT

TO: (Officer designation, room number, and building)

DATE

OFFICER'S
INITIALS

COMMENTS (Number each comment to show from whom to whom. Draw a line across column after each comment.)

RECEIVED

FORWARDED

1. DD/Pers

9 DEC

10 DEC 1976

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Ben -

Here's the "edited" copy of our 120 day assignment reply edited by [redacted] He originally opted for a short 'no', but now says he was swayed by my argument that the employees and former employees are entitled to the reasoning behind the position.

However, if you prefer the short form, we can use the first and last paragraphs - and might be used for the retirees in any event. Once into an explanation, we really should give them a relatively complete one. Para 2 explains the CSC relationship - or lack thereof, para 3 the Agency's own regulations and the 4th para, the fact that our assignment procedures have Comptroller General approval.

4. C/Review Staff/OP
626 C of C

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I don't like [redacted] edit on the last paragraph - prefer "your claim is denied" - otherwise it sounds as if the D/Pers independently makes the decision. The notation "insofar as it is based on the Comp General decisions" rather dangles, but Bernie advises it is deliberately written this way. This decision does not close off a claim on other grounds, such as grievance on the promotion procedures, discrimination, etc and etc. With the edit the paragraph would read thusly:

"Accordingly your claim is denied insofar as it is based on the Comptroller General decisions B 183086 and B 184990. If the above does not satisfy your concern, please feel free to contact my office. You may, of course, submit an appeal directly to the Director of Central Intelligence through the Inspector General of the Agency."

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STATINTL